

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 1

[MM Docket No. 97-247; DA 98-354]

#### Fees for Ancillary or Supplementary Use of Digital Television Spectrum Pursuant to Section 336(e)(1) of the Telecommunications Act of 1996

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** On December 18, 1997, the Commission adopted a *Notice of Proposed Rule Making* in this proceeding (FCC 97-414) ("NPRM") regarding the assessment of fees for the use of digital television bitstream for the provision of ancillary or supplementary services. Comments in this proceeding are presently due March 3, 1998, and reply comments are due April 2, 1998. On February 19, 1998, the National Association of Broadcasters ("Petitioner") submitted a Motion for Extension of Time to file comments in response to the NPRM, requesting that the Commission extend the comment deadline to May 4, 1998, and the reply comment deadline to June 2, 1998. The Motion for Extension of Time is granted.

**DATES:** Comments are due on or before May 4, 1998 and Reply Comments are due on or before June 2, 1998.

**ADDRESSES:** Comments should be sent to the Office of the Secretary, Federal Communications Commission, 1919 M St., N.W., room 222, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Jerry Duvall, Chief Economist, Mass Media Bureau (202) 418-2600, Susanna Zwerling, Policy and Rules Division, Mass Media Bureau (202) 418-2140, or Jonathan Levy, Office of Plans and Policy (202) 418-2030.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Mass Media Bureau's Order Granting Extension of Time for Filing Comments, DA 98-354 adopted February 23, 1998 and released February 23, 1998. The full text of this Mass Media Bureau Order is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 239), 1919 M Street N.W., Washington, D.C. The complete text of this Order may also be purchased from the Commission's copy contractor, International Transcription Services (202) 857-3800 2100 M Street, N.W., Suite 140, Washington, D.C. 20037.

### Synopsis of Order

On December 18, 1997, the Commission adopted a *Notice of Proposed Rule Making* in this proceeding (FCC 97-414) ("NPRM") regarding the assessment of fees for the use of digital television bitstream for the provision of ancillary or supplementary services. Comments in this proceeding are presently due March 3, 1998, and reply comments are due April 2, 1998.

On February 19, 1998, the National Association of Broadcasters ("Petitioner") submitted a Motion for Extension of Time to file comments in response to the NPRM. Petitioner contends that additional time is necessary for the preparation of research studies in response to the NPRM which have been commissioned by petitioner in conjunction with broadcast television networks. It requests that the Commission extend the comment deadline to May 4, 1998, and the reply comment deadline to June 2, 1998.

In section 1.46 of the Commission's Rules, it is our policy that extensions of time for filing comments in rulemaking proceedings shall not be routinely granted. However, because of the complexity of the instant proceeding, and the potential benefits of the petitioner's studies, we believe an extension of the comment deadline for the NPRM is warranted. In the NPRM, at paragraph 27, the Commission "encouraged[d] commenters to make specific recommendations as to the level of the fee and type of fee assessment program to which the fee is to be tied and to provide evidence to build a record supporting those recommendations." To facilitate such efforts, we will grant petitioner additional time to complete its research studies which can provide the Commission a more complete record in this proceeding.

Accordingly, *It is ordered* that the Motion for Extension of Time filed in MM Docket No. 97-247 by the National Association of Broadcasters *Is granted*. The time for filing comments *Is extended* to May 4, 1998.

*It is further ordered* that the time for filing reply comments *Is extended* to June 2, 1998.

This action is taken pursuant to authority found in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 303(r), and sections 0.204(b), 0.283, and 1.45 of the Commission's Rules, 47 CFR 0.204(b), 0.283, and 1.45.

### List of Subjects in 47 CFR Part 1

Television, Television broadcasting.

Federal Communications Commission.

**Roy J. Stewart,**

Chief, Mass Media Bureau.

[FR Doc. 98-5237 Filed 2-27-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### 49 CFR Parts 383 and 384

[FHWA Docket No. FHWA-97-3103]

RIN 2125-AE28

#### Commercial Driver Disqualification Provision

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM); request for comments.

**SUMMARY:** The FHWA is proposing regulations specifying that commercial motor vehicle (CMV) drivers who are convicted of violating laws or regulations pertaining to railroad-highway grade crossings be disqualified from operating a CMV. This proposal also would assess penalties against employing motor carriers found to have knowingly allowed, permitted, authorized, or required a driver to operate a CMV in violation of laws or regulations pertaining to railroad-highway grade crossings. This action is in response to the requirements specified in section 403 of the ICC Termination Act (ICCTA) of 1995. The purpose of this proposal is to enhance the safety of CMV operations on our nation's highways.

**DATES:** Comments must be received on or before May 1, 1998.

**ADDRESSES:** Interested persons are invited to submit written, signed comments regarding this proposal to Docket Clerk, U.S. DOT Dockets, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. All comments received will be available for examination at the above address from 10 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped envelope or postcard.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Goettee, Driver Division, Office of Motor Carrier Research and Standards, (202) 366-4001, or Mr. Charles Medalen, Office of the Chief Counsel, (202) 366-0834, Federal